

REMARKS

Rejection of claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over US 5,930,362 (Daly) in view of US 5,642,401 (Yahagi)

Applicant does not amend the claims and relies on the amended claims filed on April 29, 2008. Applicants respectfully traverses the rejection and respectfully requests reconsideration of the rejection of claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Daly and Yehagi for the reason provided below.

In Applicants previous response, it was argued that Daly does not anticipate each and every element as set forth in independent claims 1 and 11, and in particular because Daly does not disclose “generating, responsive to the authentication, a first dynamic key seed locally at the network based server” and “generating, responsive to the authentication, a *second dynamic seed locally at the client without utilizing the first dynamic seed*” of claim 1. In addition, claim 1 includes “generating a first application key independently at the network based server corresponding to the locally generated first dynamic seed” and “generating a second application key *independently* at the client corresponding to the locally generated second dynamic seed, wherein the second application key is generated *without utilizing the first application key*.” Applicant’s claim 11 recites “generating . . . a first dynamic seed locally at the network based server” and “generating...a second dynamic seed *locally* at the client, wherein the second dynamic seed is generated *without utilizing the first dynamic see.*,” In addition, claim 11 recites “generating a first application key independently at the network base server based on the first dynamic seed” and “generating...a second application key *independently* at the client based on the second dynamic seed.” Accordingly, the claims require two dynamic seeds are generated independently of each other and two applications keys are also generated independently of each other. Applicant respectfully submits that this combination is not disclosed, taught or otherwise suggested by the combination of Daly and Yahagi. Applicant respectfully requests reconsideration of claims 1 and 11 and requests that the rejection be kindly withdrawn.

Applicant previously described Daly. That description and the argument as to why Daly does not render the claims anticipated or obvious is incorporated here. The Office Action cites

Yahagi to overcome the deficiency that Daly does not disclose “generating, responsive to the authentication, a second dynamic seed locally at the client without utilizing the first dynamic seed, wherein the generated second dynamic seed is consistent with the first dynamic seed.”

Yahagi is directed to an authentication system that when a base station determines that authentication is required, an authentication calculation request is generated with respect to a mobile station with a random number generated as an authentication random number by the base station. An authentication calculation result as a response from the mobile station is received by the base station. The base station initiates the mobile station controller by using the authentication random number, the authentication calculation result, and the identification number of the mobile station as set parameters of a signal. The mobile station controller receives the authentication calculation result in the set parameters of the signal received from the base station, collates the authentication calculation result in the set parameters of the signal received from the base station with the authentication calculation result as response sent from the data base and determines that authentication confirmation is made, if a collation result indicates coincidence. See Abstract.

Column 7, lines 31-34 of Yahagi are cited to suggest that Yahagi discloses generating the second dynamic seed and therefore the second application key at the client and independently from the first dynamic seed and the first application key that are generated at the network based server. This section of Yahagi discusses two targets on the same mobile station. Applicant submits that the authentication process disclosed does not generate a second dynamic seed independently at the client and the server side. As seen in the figure, there is no Key Manager on the client side to retrieve a particular application key. Moreover, Yahagi does not provide any details on how the authentication keys 67 and 69 are generated. As such, these authentication keys are generated consistent with the known prior art, such as that disclosed by Daly, which does not independently generate the authentication key at the client and server sides.

Yahagi discloses that the authentication being performed at the mobile station for targets 1 and 2 are using the same method. Yahagi offers no explanation of how the keys are generated. The claims, however, require a unique application for each mobile station using a second dynamic seed, which is generated independently of the first dynamic seed. The authentication

key is used for any application specific authentication process. Examples are provided in FIG. 4 of the present application

Applicant also notes that the cited sections of Yahagi disclose authentication where the base station and the mobile station are sharing information. As stated in Column 7, lines 21-53, the base station provides the mobile station random numbers A and B which are used targets 61 and 62 to obtain the authentication calculation results A and B using the authentication key, the authentication algorithms and the random numbers. The results A and B are output as an authentication calculation response result 78. This is provided to the base station to revise the authentication results A and B, the random numbers A and B and the identification number of the authentication targets. An authentication confirmation request 79 is then provided to the mobile station, which sets the identification number of the authentication target.

As can be seen, the base station and the mobile station are provided data back and forth as part of the authentication process. This is inconsistent with the claims that require the dynamic seed and the authentication keys to be generated at the client and the server independently of one another. Thus, Applicant respectfully submits that Yahagi teaches away from Applicant's claims. Moreover, as Yahagi expresses the exchange of data in the authentication process, Applicant respectfully submits that there is nothing within Yagahi that it suggests it should be combined with Daly to create a combination of references that make the claims obvious. To the extent that Daly and Yagahi can be combined, they do not create the limitations provided in claims 1 and 11.

Applicants also note that the use of the word independently in column 7 of Yahagi does not imply that the authentication keys are generated between the mobile station and the base station independently. As described above, the base station and mobile station rely on calculations from the other. Independently apparently refers to the targets, which are a part of the same mobile station.

In view of the foregoing, Applicant respectfully submits that Daly does not disclose, teach or otherwise suggest Applicant's above mentioned limitation. Applicant therefore submits

that independent claims 1 and 11 are patentable over Daly and Yahagi. Applicant therefore submits that the rejection of claims 1 and 11 under 35 USC 103(a) is improper and should be withdrawn. Applicant respectfully requests that claims 1 and 11 may now be passed to allowance.

Dependent claims 2-10, and 12-20 depend from, and include all the limitations of independent claims 1 and 11. Therefore, Applicant respectfully requests the reconsideration of dependent claims 2-10, and 12-20 and requests withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,
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